



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MEL
F.#2009R01793

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 21, 2021

By ECF and Email

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. John Doe
Criminal Docket No. 14-438 (PKC)

Dear Judge Chen:

The government respectfully submits this letter to request that the Court dismiss Count Four of the Information in the above-captioned matter. In light of the Supreme Court's decisions in Davis v. United States, 139 S. Ct. 2774 (2019) and Johnson v. United States, 135 S. Ct. 2551 (2015), the government no longer believes that Counts One, Two and Three qualify as crimes of violence for the purposes of Count Four. Accordingly, the government respectfully requests that Count Four of the Information be dismissed. The government has conferred with defense counsel, who has no objection to this request.

Respectfully submitted,

MARK J. LESKO
Acting United States Attorney

By: /s/ Margaret Lee
Margaret Lee
Assistant U.S. Attorney
(718) 254-6205

cc: Joyce London, Esq. (by email)
U.S. Probation Officer Jaime Turton (by email)